

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42474 of 2018

Arising Out of PS.Case No. -69 Year- 2018 Thana -KARJA District- MUZAFFARPUR

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1. Bharat Kumar
2. Chandan Kumar Both Sons of Dashrath Prasad Resident of Village
Panapur Akhtiyarpur, P.S. Karja, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Ms. Babita kumari

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-08-2018 Heard learned counsel for the petitioners, the informant
as well as the State.

The petitioners apprehend their arrest in Karja P.S.
Case No. 69/2018, instituted for the offences punishable under
Sections 147, 148, 149, 341, 323, 307, 353, 427 and 504 of the
Indian Penal Code.

In the written report, filed by the Mukhiya, it is alleged
that on the date of occurrence in the meeting of Swakshta Abhiyan,
Petitioner no. 1 assaulted the informant with iron rod causing injury
on his head and he fell down and become unconscious.

Learned counsel for the petitioners has submitted that
there is general and omnibus allegation against the petitioners and
others that they were causing disturbance in the meeting.



There is specific allegation against petitioner no. 1 of assaulting the informant. Injury report of the informant is annexed as Annexure- 3 which shows that there is injury on parietal region of head of the informant which is bleeding and deep cut in nature.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to petitioner no. 1. Accordingly, the same is rejected.

So far as petitioner no. 2 is concerned, there is no specific allegation against him. His prayer for anticipatory bail is allowed. In the event of surrender/arrest of petitioner no. 2, named above, within six weeks from today, in connection with Karja P.S. Case No. 69/2018, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. II (West), Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to



move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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